(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

WRIT PETITION NO. 346 OF 2004

BETWEEN

Dr. Arun Kumar Singh Rathore S/o Niranjan Singh Rathore, aged about 49 years, occupation Block Medical Officer, Basna, District Mahasamund (CG).

PETITIONER

A N D

The State of Chhattisgarh,
Through the Secretary Department of Health Services & Family Welfare, Mantralay, D.K.S. Building, Raipur (CG).

2. The Director,
Health Services Chhattisgarh, Raipur.

3. The Collector, Mahasamund,
District Mahasamund (CG).

4. Chief Medical Officer, Mahasamund,
District Mahasamund (CG).

5. Dr. M.K.Naik , Medical Officer,
Basna District Mahasamund (CG).

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No 346/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	06.02.2004 Shri Awadh Tripathi, counsel for the petitioner. Shri Praveen Das, Panel Lawyer for the State. By this Writ Petition under Article 226/227 of the Constitution of India, the petitioner, who is Block Medical Officer Basna, Mahasamund has challenged the order dated 22.01.2003 passed by the Chief Medical Officer, Mahasamund. The case of the petitioner is that vide order dated 06.03.2003 (Annexure P-2), the petitioner was promoted on the post of Medical Specialist and posted at Community Health center, Basna. Thereafter, vide impugned order (Annexure P-3) dated 22.01.2004 the petitioner has been directed to handover the charge to Shri M.K.Naik, who is junior to the petitioner. I have heard learned counsel for the parties. Learned counsel for the petitioner submits that Shri M.K.Naik is junior to the petitioner and the petitioner has been asked to handover the charge to his junior. Further submission of learned counsel for the petitioner is that the petitioner made a representation to respondent No.1 but that representation has not	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

WP. 3461/2004

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश (2)	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

been decided so far. Therefore, the petitioner may be allowed to make a detailed representation to respondent No. 1 to which the learned counsel for the respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation, raising all his grievances within a period of 10 days from today to respondent No.1 and in turn, respondent No.1 after considering all the grievances of the petitioner shall decide the representation within a period of 30 days from the date of receipt of the same in an objective manner with a reasoned order.

Learned counsel for the petitioner submits that so far the charge has not been handed over to Shri M.K. Naik, therefore, till the representation is decided he may be allowed to continue on the same post.

Having heard learned counsel for the parties, it is directed that if the petitioner has already not been relieved from the post then he may be allowed to continue on the same, till the representation is decided.

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 346/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश (3)	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	The petition is disposed of accordingly. Consequently, M.W.P.No. 304/04 and I.A.No.801/04 for urgent hearing disposed of. Certified copy as per Rules. Sd/- L.C.BHADOO Judge	

Baskar/ SG